

Patent  
224/183  
21039-7001

REMARKS

After entry of the above amendments, 47-100 will be pending in the above-identified application. The Examiner is thanked for his courtesy in conducting a telephone interview with the undersigned on April 22, 2003. During the interview, the undersigned proposed to amend the claims to make clear that a data notification message is transmitted to the transceiver, which is separate from the client station, so as not to confuse it with the prior art. Rather than amending claims 1-8, 10-12, 16-25, and 26-46, new claims 47-100 have been added to make that clear. Claims 47-100 are supported in the specification. No new matter has been added.

Previously pending claims 1-6, 10-12, 16-20, and 22-31, 34-43, and 45-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,842,216 to Anderson et al. in view of U.S. Patent No. 5,958,006 to Eggleston et al. The Office action states:

As per claims 1-6, 10-12, 16-20, 22-31, 34-43, and 45-46, Anderson et al. discloses a method for transmitting information from a server to a client station wherein determining whether the server has information to be transmitted to the client station without the client station initiating to establish a connection to the server and transmitting a message from the server directly to a client indicating the server has information for the client station and the client station can establish a log-on connection with the server based on the telephonic address (abstract).

(January 31, 2003 Office action, pg. 2).

Anderson discloses:

A system is provided for eliminating time-consuming, unnecessary transfers of data over networks such as the World Wide Web while at the same time guaranteeing timeliness of the data used by recipients. Timeliness is assured by immediately sending small data-notification messages whenever data becomes relevant or changes. Efficiency is guaranteed by transmitting the data itself only when requested by the recipient of a data-notification message. In particular, recipients are alerted to the presence of, and changes in, data they might use by data-notification messages containing a timestamp, the data location, and a checksum. Based on the timestamp, the recipient can determine whether the data-notification message contains timely information or should be ignored. Based on the data location and checksum, the recipient can determine whether it already has the current version of the data in question, for example stored in a cache.

Patent  
224/183  
21039-7001

(Abstract).

However, new claims 47 and 74 recite "transmitting the data notification message to a transceiver, the transceiver being separate from the client station." Anderson, in contrast, merely discloses a source that sends data-notification messages over a hard-wired network to a recipient when data changes occurs. Anderson does not disclose or suggest "transmitting the data notification message to a transceiver, the transceiver being separate from the client station" as recited in new claims 47 and 74.

The Office action further states:

Anderson et al. do not disclose a mobile-based client server system. Eggleston et al. disclosed such mobile-based client server system (see fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art to provide a mobile-based client server system, as disclosed in Eggleston et al., to the data notification message network, as disclosed in Anderson et al., in order to provide a wireless communication path between the client and server that provide the user's mobility.

(January 31, 2003 Office action, pgs. 2-3). However, Eggleston does not cure the deficiencies of Anderson.

Eggleston discloses:

In a main embodiment, select and summary (S&S) indices (213, 228) are used to provide user flexibility in reviewing and requesting otherwise filtered data. Both the user's remote unit (201) and communication server (220) maintain S&S indices containing identifying (summary) information about data which has not been fully transferred between the communication server and remote unit. As new data is filtered for transfer (704-706), identifying information is captured (710) for any non-qualifying data by either a host unit or the communication server. This information is stored (714) in the communication server's S&S index, and transferred (718) via update messaging to the remote unit. When reviewing its updates or S&S index, the user may request (722) such of the data that it desires partial or full transfers of for further review. Thus, a cost efficient review mechanism is provided to users for determining whether to transfer data that otherwise fails selected filter parameters.

(Abstract).

Patent  
224/183  
21039-7001

Eggleston does not disclose or suggest "transmitting the data notification message to a transceiver, the transceiver being separate from the client station" as recited in new claims 47 and 74. It merely describes maintaining information on data that has been filtered in indicies at the remote unit and the communication server. Thus, even if Anderson and Eggleston were combined, the combination neither teaches nor suggests "transmitting the data notification message to a transceiver, the transceiver being separate from the client station" as recited in new claims 47 and 74.

Accordingly, applicants respectfully submit that new claims 47 and 74 are patentable over Anderson in view of Eggleston based at least on the reasons above. Given that new claims 48-73 and 75-100 depend from claims 47 and 74, respectively, it is respectfully submitted that those claims are patentable over Anderson in view of Eggleston for at least the same reasons.

### CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,

Bingham McCutchen LLP

Dated: 4-30-03

By:

  
Erin C. Ming  
Reg. No. 47,797

**FAX RECEIVED**

AUG 22 2003

**GROUP 2600**

**OFFICIAL**

Three Embarcadero Center, Suite 1800  
San Francisco, CA 94111-4067  
Telephone: (650) 849-4904  
Telefax: (650) 849-4800